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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R4-ES-2012-N202]

[40120-1112-0000-F2]

Programmatic Incidental Take Permit and Environmental Assessment for Development Activities, Perdido Key, Escambia County, Florida

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Under the Endangered Species Act (Act), we, the U.S. Fish and Wildlife Service, announce the receipt and availability of a proposed habitat conservation plan (HCP) and accompanying documents for private development projects and municipal infrastructure improvements (activities) regulated or authorized by the Escambia County Board of Commissioners (Applicant). The activities would result in take of six federally-listed species on Perdido Key in Escambia County, Florida. The HCP analyzes the take incidental to activities conducted or permitted by the Applicant. We invite public

comments on these documents.

DATES: We must receive any written comments at our Regional Office (see **ADDRESSES**) on or before [Insert date 60 days after date of publication in the FEDERAL REGISTER].

ADDRESSES: Documents are available for public inspection by appointment during normal business hours at the Fish and Wildlife Service's Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, GA 30345; or the Panama City Field Office, Fish and Wildlife Service, 1601 Balboa Avenue, Panama City, FL 32405.

FOR FURTHER INFORMATION CONTACT: Mr. David Dell, Regional HCP Coordinator, (see **ADDRESSES**), telephone: 404-679-7313; or Mr. Jon Hemming, Field Office Project Manager, at the Panama City Field Office (see **ADDRESSES**), telephone: 850-769-0552, ext. 238.

SUPPLEMENTARY INFORMATION: We announce the availability of the proposed HCP, accompanying incidental take permit (ITP) application, and an environmental assessment (EA), which analyze the take of the following listed species incidental to activities conducted or permitted by the Applicant: The endangered Perdido Key beach mouse (*Peromyscus polionotus trissyllepsis*), threatened Loggerhead (*Caretta caretta*), endangered Green (*Chelonia mydas*), endangered Leatherback (*Dermochelys coriacea*),

and endangered Kemp's Ridley (*Lepidochelys kempii*) sea turtles, and the threatened Piping Plover (*Charadrius melodus*). The Applicant requests a 30-year ITP under section 10(a)(1)(B) of the Act (16 U.S.C. 1531 et seq.), as amended. The Applicant's HCP describes the mitigation and minimization measures proposed to address the impacts to the species.

We specifically request information, views, and opinions from the public via this notice on our proposed Federal action, including identification of any other aspects of the human environment not already identified in the EA pursuant to National Environmental Policy Act (NEPA) regulations in the Code of Federal Regulations (CFR) at 40 CFR 1506.6. Further, we specifically solicit information regarding the adequacy of the HCP per 50 CFR parts 13 and 17.

The EA assesses the likely environmental impacts associated with the implementation of the activities, including the environmental consequences of the no-action alternative and the proposed action. The proposed action alternative is issuance of the ITP and implementation of the HCP as submitted by the Applicant. The HCP covers activities conducted or permitted by the Applicant, including private residential and commercial development activities as well as development and infrastructure improvements on Escambia County-owned lands. Avoidance, minimization and mitigation measures include: Informing the Perdido Key property owners of the sensitive nature of the habitat and listed species on Perdido Key by developing a public awareness program and brochure; siting a project to maximize the best habitat conservation and

incorporating appropriate connectivity and buffers between developments; designing homes and other structures to reduce their vulnerability to storm damage; minimizing impervious surfaces; maximizing use of vegetation native to Perdido Key; developing and implementing guidelines to minimize disturbances to sea turtles, shorebirds, and their nests caused by the operation of official vehicles involved in public safety, beach maintenance, law enforcement, HCP implementation, and other official business on Perdido Key; and implementing an effective monitoring program for all species covered by the ITP to identify and ameliorate factors impeding their recovery.

Public Comments

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

If you wish to comment, you may submit comments by any one of several methods. Please reference TE46592A-0 in such comments. You may mail comments to the Fish and Wildlife Service's Regional Office (see **ADDRESSES**). You may also comment via the internet to *david_dell@fws.gov*. Please include your name and return address in your internet message. If you do not receive a confirmation from us that we have received your internet message, contact us directly at either telephone number listed

under **FOR FURTHER INFORMATION CONTACT.**

Finally, you may hand-deliver comments to either of our offices listed under **ADDRESSES.**

Covered Area

Perdido Key, a barrier island 16.9 miles long, constitutes the entire historic range of the Perdido Key beach mouse. The area encompassed by the HCP and ITP application consists of privately owned and Escambia County-owned lands from Gulf Islands National Seashore to the Florida - Alabama state line.

Next Steps

We will evaluate the ITP application, including the HCP and any comments we receive, to determine whether the application meets the requirements of section 10(a)(1)(B) of the Act. We will also evaluate whether issuance of a section 10(a)(1)(B) ITP complies with section 7 of the Act by conducting an intra-Service section 7 consultation. We will use the results of this consultation, in combination with the above findings, in our final analysis to determine whether or not to issue the ITP. If we determine that the requirements are met, we will issue the ITP for the incidental take of Perdido Key beach mouse, Loggerhead, Green, Leatherback and Kemp's Ridley sea turtles and the Piping Plover.

Authority

We provide this notice under section 10 of the Act (16 U.S.C. 1531 et seq.) and NEPA regulations (40 CFR 1506.6).

Dated: August 6, 2012

Mark J. Musaus
Acting Regional Director

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